

Court of Appeals, State of Michigan

ORDER

Matt Ward v John C. Siano, Jr., M.D.

Docket No. 265599

LC No. 03-001864-NH

William C. Whitbeck, C.J.
Presiding Judge

Judges of the
Court of Appeals

Judges

The Court orders that a special panel shall be convened in accordance with MCR 7.215(J) to resolve the conflict between this case and *Mazumder v University of Michigan Regents*, ___ Mich App ___; ___ NW2d ___ (2006).

The Court further orders that section II(D) of the opinion in this case, which addresses the applicability of the doctrine of equitable tolling in cases affected by the retroactive application of *Waltz v Wyse*, 469 Mich 642; 677 NW2d 813 (2004), is VACATED. MCR 7.215(J)(5).

Appellant may file a supplemental brief within 21 days of the Clerk's certification of this order. Appellees may file a supplemental brief within 21 days of service of appellant's brief. Nine copies must be filed with the Clerk of the Court.



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

MAY 8 - 2006
Date

Sandra Schultz Mengel
Chief Clerk